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U. S. Office of Indian Affairs.

ANNUITY—SENECA INDIANS—1837.

LETTER

FROM

THE SECRETARY OF WAR,

TRANSMITTING

A Report from the Commissioner of Indian Affairs in reply to a resolution of the House of Representatives of the 19th March.

MAY 10, 1838.

Read, and laid upon the table.

DEPARTMENT OF WAR, May 8, 1838.

SIR: I have the honor to transmit herewith a report and documents from the Commissioner of Indian Affairs, in reply to a resolution of the House of Representatives of the 19th of March last, in reference to the payment of the annuity due the Seneca Indians for 1837.

Very respectfully, your most obedient servant,

S. COOPER,

Acting Secretary of War.

HON. JAMES K. POLK,

Speaker of the House of Representatives.

WAR DEPARTMENT,

Office Indian Affairs, May 4, 1838.

SIR: In obedience to your direction, I have the honor to report on the resolution of the House of Representatives of March 19th.

Soon after its receipt at this office, copies were sent to the Indian sub-agent and the military disbursing agent for such information as they could communicate. Their answers are among the copies of correspondence herewith transmitted. The money and goods for paying the annuity were forwarded in June last. The other inquiries in the resolution are answered in the accompanying papers.

Very respectfully, your most obedient servant,

C. A. HARRIS, *Commissioner.*

Capt. S. COOPER,

Acting Secretary of War.

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A.—[EXTRACT.]

WAR DEPARTMENT,

Office Indian Affairs, June 23, 1837.

SIR: In consequence of derangement in the financial operations of the country, it has been found impracticable to procure specie for the whole amount of the annuities payable to the Indians the present year. The arrangements of the Treasury permit the payment of about one-half the amount due to each tribe.

The balance of the annuities, it has been determined, after much consideration, to offer to the Indians in goods. For a large majority of them bank notes are, of course, out of the question; and goods purchased in large quantities, directly of the importers, furnish the nearest equivalent to specie that can be procured. I have written to Mr. Schoolcraft on this subject, and requested him to give the agents and sub-agents such instructions as will enable them to make the necessary explanations to the Indians. A similar letter will be addressed to Governor Dodge, and similar instructions given to Colonel Pepper, Mr. Kercheval, Col. McElvain, and Mr. Stryker.

Copies of these papers and of letters to Mr. C. Bush, Col. Symington, Mr. Conner, and to the contractors for the goods, Messrs. Suydam, Jackson, & Co., of New York, will be enclosed to you, and will put you in possession of the views of the Government, which you are requested to communicate to the military officers whom you may call upon to assist in paying the annuities, and also to take the several measures therein devolved on you. Of course it will be your duty to cause the goods to be transported from the places of delivery to those of the payments of the annuities. The goods and money for these should be paid at the same time.

It is a part of the arrangement, that, when Mr. Bush shall have satisfied himself of the identity of the goods delivered with those purchased, he shall endorse on a copy of the invoice, which will be in the possession of the contractors, a certificate to that effect, and the person who receives them a receipt; upon this certificate and receipt payment will be made to the contractors. The same course will be taken in regard to the Logansport delivery by Col. Symington.

It is a stipulation in the contract that the goods shall be examined to ascertain the amount of damage, if any, occurring *in transitu*; and that, if any be discovered, the amount shall be appraised by disinterested persons, one to be chosen by each party, and the amount of the award deducted from the amount of the invoice. You will of course have this attended to.

A warrant will be issued in your favor for \$102,786, on account of annuities, being about one-half of the whole amount due; the other half being in goods, for which the Treasury Department will give the following drafts:

1. One on the receiver at Milwaukee for the Menomonic annuity - - - -	\$13,000
2. One on the same for Six Nations at Green Bay	195
	\$13,195

3. One on the receiver at Lima, Ohio, for Wyandots	-	-	-	-	\$2,950	
4. One on same for Munsees, Delawares, and Wyandots	-	-	-	-	500	\$3,450
5. One on receiver at Chicago for Ottawas, Chippewas, and Pottawatamies	-	-	-	-	-	16,350
6. One on the receiver at Fort Wayne for Pottawatamies	-	-	-	-	27,035	
7. One on same for Miamies	-	-	-	-	13,050	40,085
8. One on bank in Detroit for Ottawas and Chippewas	-	-	-	-	21,150	
9. One on same for Christian Indians	-	-	-	-	400	
10. One on same for Six Nations, New York	-	-	-	-	2,056	
11. One on same for Senecas of New York	-	-	-	-	3,000	
12. One on same for Ottawas at Maumee	-	-	-	-	1,700	
13. One on same for Chippewas	-	-	-	-	1,400	29,706
						<u>\$102,786</u>

If the banks refuse to give specie for the \$21,150 due to the Indians of the Mackinac agency, the receiver at Milwaukee has been instructed by the Secretary of the Treasury to take up the draft and supply the specie. To the receiver at Detroit similar instructions have been given in respect to the other drafts on banks in that city, as above noted, in the event of a refusal to pay in specie. The drafts Nos. 1 to 7, inclusive, being on receivers, will doubtless produce the specie.

A second warrant will be issued for \$21,225, on account of treaty stipulations; for this the Treasury will give the following drafts, viz :

36 of \$500 each	-	-	-	-	-	\$18,000
1 of 255	-	-	-	-	-	255
7 of 200 each	-	-	-	-	-	1,400
16 of 100 each	-	-	-	-	-	1,600
						<u>\$21,255</u>

A third warrant will be issued for \$5,000, for which the following drafts will be given, viz :

6 of \$500 each	-	-	-	-	-	\$3,000
5 of 200 each	-	-	-	-	-	1,000
10 of 100 each	-	-	-	-	-	1,000
						<u>\$5,000</u>

Enclosed I transmit ten copies of the Treasury circular, dated the 17th of May, from which you will perceive that these drafts are receivable in payment for lands and custom-house bonds, if not paid by the banks on which drawn, when certain conditions are complied with. I presume you can readily obtain upon them such funds as will enable you to meet all the engagements of the Government in a manner satisfactory to its cred-

itors. The whole arrangement has been so guardedly framed, that I think you cannot possibly be disappointed in procuring the whole amount of specie and other suitable funds required.

Very, &c.,

C. A. HARRIS, *Commissioner*.

Major JOHN GARLAND,
Detroit, Michigan.

B.—[EXTRACT.]

WAR DEPARTMENT,

Office Indian Affairs, June 23, 1837.

SIR: The annuities due to the tribes in New York will be paid this year half in specie and half in goods. Warrants for the former will be sent to Major Garland at Detroit, who, if not able to superintend the payment in person, will designate an officer to perform the duty. Should neither he nor his agent be at Buffalo at the time the goods reach there, (1st July,) you will be pleased to receive them, and give your receipt on the invoice, after Mr. Bush shall have endorsed his certificate thereon, and retain them until they can be delivered to Major Garland's order. The goods have been selected in New York with great care, and in quality, cheapness, and adaptation to the wants of the Indians, may be favorably compared with the best furnished by the traders. Mr. Bush, who had some agency in this purchase in New York, will be present at their delivery, principally for the purpose of identifying them. You will make the necessary preliminary arrangements for their delivery, and the payment of the specie to the Indians, in the manner prescribed in the revised regulations Nos. 3 and 4, five copies of which, and of the laws of 30th June, 1834, are enclosed for your use and information. Enclosed you will find a statement showing in detail the various objects to which the remittances to Major Garland for your agency are applicable.

The necessity for this payment in goods has resulted from the derangement in the finances of the country. The causes of this are doubtless understood by you, and you will make the necessary explanation to the Indians. Whether they will consent to receive these goods must be determined by themselves. If, after examining them, understanding the manner in which they have been selected, and the motives for making the payments in this mode, they shall manifest a reluctance to receive them, they must not be urged to do so; but, in that event, they must wait for the balance of the annuities until it is convenient for the Government to pay them in specie.

Very, &c.

C. A. HARRIS, *Commissioner*.

JAMES STRYKER, Esq.,
Buffalo, N. Y.

C.

WASHINGTON, *September 9, 1837.*

SIR: In conformity with the instructions received from you, I submitted to the chiefs of the New York Indians the proposition from the Government to pay the annuities for the present year in goods and specie.

I met the principal chiefs for this purpose at two different points, on the Buffalo creek and Cattaraugus reservations, and stated to them the necessity that compelled the Government to the arrangement that had been made. The invoices of the goods were exhibited, and the goods referred to as evidence of the disposition to deal fairly and generously with them in this particular. I also suggested that if the present offer was not accepted, it was impossible to say whether the annuity could be paid in any other way during the suspension of specie payments by the deposit banks, and that if the Indians now refused the goods, they might be obliged to wait several months for their annuity.

They heard all I had to say with attention, and gave to it a respectful and deliberate consideration. Their answer, which they had prepared in writing, and sent to me by the interpreter, is enclosed. I found it impossible to move them from their purpose. They had called for the \$6,000 in specie, and would have nothing else for the whole amount. They would rather delay the payment, to meet the convenience of the Government, than accept the goods in lieu of the specie, which they say they must have, even if it be several months hence. They have fixed upon the 20th October to assemble in council and have the determination of the Government in this matter. The answer, however, can be given at any time; and as, if specie is to be paid, the payment must probably be deferred beyond the time appointed by the Indians, and no necessity in that case existing for their early assemblage, I shall be happy now, upon due consultation, to have such arrangement made as must be satisfactory to all concerned, under the difficulties which surround this subject.

Most respectfully, your obedient servant,

JAMES STRYKER,

Sub-agent N. Y. Indians.

To the COMMISSIONER OF INDIAN AFFAIRS.

BUFFALO RESERVATION, *July 6, 1837.*

SIR: We have heard the proposition which you have made to the New York Indians, on behalf of the Government, respecting the payment of the annuities. As your duty, you have fairly and strongly stated all the reasons which originated this proposition; the principal one of which is, the derangement in the finances of the country. You propose to pay us one half in goods, and the other half in cash. We have no doubt the goods have been selected with care, and at fair prices, and are of a good quality; although we do not find among them any blankets for the New York Indians.

We have given this proposition due consideration, and we cannot possibly accept of it. The Seneca annuity of \$6,000 has always been paid in cash; and we have this year, in consequence of the derangement in the currency, and the want of confidence in bank money, and the necessity for change among ourselves, distinctly demanded this annuity in specie. We cannot, in justice to ourselves, accept of any other payment; and we are rather willing to defer the payment several months, than take any thing but specie for this annuity; we so decided last year. We live in the midst of the whites; most of us adopt their mode of living; and in

the supply of our ordinary wants, and in our business transactions, we need some money, and it is much more serviceable to us than prints, handkerchiefs, and other articles of clothing annually sent.

With regard to the annuity to the Six Nations of \$4,500, we have always received it in goods, articles of clothing, implements of husbandry, and according to treaty stipulations. We have blacksmiths and gunsmiths at work among us, and we are supplied by you with hoes, axes, &c., from time to time. You can best say whether \$2,800 will pay the present charge upon that annuity for our work, &c. We do not believe that it will, because we resolved in council last year that we would have \$2,000 worth of gunsmith and blacksmith work, and we have besides been obliged to draw for hoes, axes, and other implements, according to our usual practice, throughout the year.

We again repeat, and wish you to answer the proposition of the Government, that we want to have the annuity of \$6,000 paid to the Senecas in specie, and enough of the \$4,500 to the Six Nations, in order to meet the bills for work and implements furnished.

We give you notice that we shall hold a general council on the 20th October next, by which time we presume the money matters will be easier, and the Government able to pay us specie. If it is not paid then, we shall then determine what course we will take. We shall then expect our annuities to be settled, and the goods to be given us as we have heretofore had them, only on account of the \$4,500 annuity, and in kind and quantity as *we shall select, including blankets.*

You will please communicate this our decision to the Government.

Big Kettle,	his x mark.
Captain Pollard,	his x mark.
Seneca White,	his x mark.
James Stevenson,	his x mark.
White Seneca,	his x mark.
Thomas Jameson,	his x mark.
George Jameson,	his x mark.
William Jones,	his x mark.
Job Pierce,	his x mark.

Onondagas.

Captain Cole,	his x mark.
Onondaga Petre,	his x mark.
Schee Smith,	his x mark.

Witness: Nathaniel T. Strong, *Interpreter.*

CATTARAUGUS, July 20, 1837.

The proposition respecting the payment of the annuity having been made by the agent to the chiefs at Cattaraugus, we unanimously concur in the foregoing statement of the chiefs at Buffalo creek, and in the refusal to accept of any but a specie payment of the \$6,000 annuity, and agree to the 20th October next as the time for assembling a general council to receive the determination of the Government.

Captain Strong,	his x mark.
Israel Jameson,	his x mark.
George Bennett,	his x mark.
Samuel Gordon,	his x mark.

Joseph Snow,	his x mark.
George Big Deer,	his x mark.
C. F. Pierce,	
Charles Greybeon	his x mark.
Nathaniel T. Strong.	

Witness present : H. P. Wilcox.

ALLEGANY, *July 22, 1837.*

The proposition of the Government having been made by the agent to the chiefs on the Allegany :

We unanimously concur in the foregoing statement of the chiefs at the Buffalo, and at the Cattaraugus, and the refusal to accept any but a specie payment of the \$6,000 annuity ; and also agree to the 20th October next as a time for assembling a general council.

Govr. Blacksnake,	his x mark.
James Robinson,	his x mark.
Tunis Halftown,	his x mark.
William Patterson,	his x mark.
John Pierce,	his x mark.
Jacob Blacksnake	his x mark.
Sky Pierce,	his x mark.
Long John,	his x mark.
James Shingo,	his x mark.
Jacob Jameson,	his x mark.

Witness present : Nathaniel T. Strong, *Interpreter.*

To HON. JAMES STRYKER,
Agent of the New York Indians.

D.

WASHINGTON, *March 30, 1838.*

SIR : My attention having been called by you to a resolution of the 19th March instant, directing the Secretary of War to communicate to the House of Representatives, among other matters, the causes why the annuity of 1837 to the Seneca Indians has not been paid, I beg leave to state, that when I was informed last summer by the disbursing agent at Detroit that funds had been transmitted to him for the payment of the Seneca annuities, and was apprized of the mode in which it was proposed to make the payment, I laid the whole matter before the principal chiefs of the nation. It happened about that time that a delegation was expected to proceed to the country west of the Mississippi, and would start before preparation could be made for meeting the disbursing officer in council. Under all the circumstances, the chiefs thought it advisable to make a communication to me requesting the payment to be deferred until a general council which was to convene soon after the return of the delegation. That council, it was believed, would be enabled to assemble in November, but, owing to the bad state of the roads after the return of the delegates, and the unusual preparations antecedent to a meeting so immensely important to the interests of the Indians as the contemplated one was expected to be, a sufficient time was given, on consultation with the old and principal chiefs, and the council did not convene until December 21.

The disbursing officer at Detroit was notified of the time, and also advised that other business was expected to occupy the council, and that the reception of the annuity is always the last matter attended to at a council. He did not, of course, come on immediately. The council continued engaged in the treaty negotiation throughout the month of January. I understood that the paymaster, in consequence of the frontier troubles which then happened, became actively engaged in the performance of military duty at Detroit. The navigation of the lake in the mean time had closed, and the travelling became very bad from Detroit to Buffalo. Towards the close of the council the chiefs inquired about the payment of the annuity. I gave the necessary explanations, with which they all appeared satisfied. No censure was cast upon the Government or the agents. It was not pretended that the annuity had been purposely withheld; and indeed most of the chiefs afterwards requested that the whole matter should lie over for the present. They said they could very well wait until the next annuity was ready, when they would receive the whole.

I was informed subsequently that some individuals to whom the Indians were indebted made complaints at the delay, and that others who intended to oppose the treaty said they should insist that the annuities were delayed in order to force the treaty through; than which a more absurd and groundless allegation could not be made. The payment of the annuity of 1837 was not discussed, nor a question raised on it during the session of the council, until the treaty was signed.

Very respectfully, your obedient servant,

JAMES STRYKER,
Sub-agent N. Y. Indians.

To Hon. C. A. HARRIS.

E.

WASHINGTON, *March 30, 1838.*

SIR: As delegates from the Seneca Indians of New York, authorized to transact business with the Government for our nation, the undersigned beg your attention to a few words, principally in relation to our annuity.

We have seen a resolution of the 19th March instant, calling on the Secretary of War for information respecting the payment of the annuity of 1837, and we are inclined to believe that complaints have been made on this subject, which have not the general sanction of the Senecas. We have been well informed of all the circumstances which have occasioned the delay of payment; and however much we regret them, we do not believe there has been any intention on the part of the Government or its agents to withhold the annuity. Our general council, at which the annuities were expected to be paid, was held in December last, the business of which occupied the nation until February. At the close of the council our chiefs appeared satisfied with the explanations given by the agent; we heard no murmuring at the time; and our desire now is, as the season is so far advanced, to have both payments of 1837 and 1838 made at the same time, with as little delay as possible. We have to request that the Seneca annuity of \$6,000 be paid to us in money, and in no other way; and that, in the distribution of goods on account of the annuity of the

New York Indians, there be furnished a full supply of blankets. With respect to the mode of payment, we have it in charge from our people to ask that the annuities be paid to the heads of families. In no other way can full justice be done to all, impositions prevented, and complaints silenced.

Respectfully, yours, &c.,

James Stevenson,	his x mark.
White Seneca,	his x mark.
George Bennett,	his x mark.
George Jameson,	his x mark.
Daniel Two Guns,	
Samuel Gordon,	
Nathaniel T. Strong,	

Delegates from the Seneca nation.

Hon. C. A. HARRIS.

F.

OFFICE PR. MIL. DISB. AGENT IND. DEPARTMENT,

Detroit, April 16, 1838.

SIR: I have the honor to acknowledge the receipt of your letter of the 29th March, enclosing a resolution of the House of Representatives in reference to the New York Seneca Indians, and requesting me to communicate such information as I possess in relation to this matter.

As your letter has reference only to the causes of the non-payment of their annuity for the year 1837, it can be best explained by stating that the payment has been postponed from time to time by Judge Stryker, the agent of those Indians, for causes enumerated in the following extracts and copies of his letters addressed to me.

[*First extract.*]

“You will *not*, of course, come here until you hear from me. And I shall give you the earliest information, and from time to time advise you how the matter stands.”

[*Second extract.*]

“BUFFALO, July 26, 1837.

“In a letter sent to me by the Indians, and signed by all the principal chiefs, they fix upon the 20th October for their general council, and appear not to expect you before that time.”

For postponement of payment from 20th October till 15th November, see copy of letter from Commissioner of Indian Affairs, “B.” In a letter of the 6th November, Judge Stryker remarks, that the Indians cannot get ready as soon as the 20th November, owing to the absence of the delegation with Mr. Schermerhorn, and expresses a hope that I will not leave Detroit for Buffalo until notified. In a letter of the 11th November, the agent informs me that the Indians in council had fixed upon the 16th

December to meet and receive their annuity. But on the 4th December this arrangement is frustrated, as you will perceive by the enclosed letter marked "No. 1."

On the 26th December, Judge Stryker, the agent, writes me that they are still engaged in the business presented by the United States commissioner, and will be thus occupied in all probability for a fortnight or more, and that it will be better for me to defer coming for some time yet.

On the 6th January, he again writes, "We shall undoubtedly be occupied a fortnight longer in this treaty-making business, and shall not, certainly, be ready to attend to the settlement of annuities for several weeks: perhaps you had better remain until I notify you."

On the 15th January, he writes me that the business of the council is still continued, and nobody can tell when it will end; and that he will give me notice when any change comes that will render my presence proper.

And on the 8th February, he informs me that the treaty has been concluded, and that he leaves for Washington the next week with a delegation of the Indians.

To avoid any disappointment which might arise from the close of navigation, and the consequent necessity of transporting *specie by land*, over bad roads, I despatched, on the 29th November, an agent to Buffalo, with ten thousand dollars, applicable to the payment of this annuity. This money was placed on special deposit to my credit, in the Bank of Buffalo, where it still remains, except a thousand dollars taken out for the payment of work done under treaty stipulations.

I would have preferred to send copies of all the letters upon this subject, but am making busy preparations for the payment of the Seneca and Wyandot annuity, and in getting off my quartermaster's accounts.

With great respect, I am your obedient servant,

JOHN GARLAND,

Major United States army.

C. A. HARRIS, Esq., *Com. Indian Affairs,*
Washington city, D. C.

No. 1.

BUFFALO, December 4, 1837.

DEAR SIR: I have just received yours of the 22d ultimo, informing me of your intention to be here by the 15th of December. We propose opening the council for the purpose of holding a treaty at that time, and it is feared that, if the paymaster should be here ready to make a payment at the opening of the council, the Indians who opposed the treaty will demand the payment as preliminary. And we well know that the moment the payment is made, the Indians will disperse. The consequence must follow, that all the expense incurred by the Government in relation to delegations and the attendance of commissioners will be wasted. It is therefore desired that you will not visit us until a fair trial has been made of two weeks' session of the council to conclude a treaty. You can easily spend Christmas at home, and then be here in season; although personally I should be glad to see you, still, for the reasons given, I should con-

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sider your attendance until after Christmas most unfortunate in relation to the negotiations now pending.

Most respectfully, your obedient servant,
JAMES STRYKER.

Major J. GARLAND.

SIR: I fully concur with Judge Stryker, that it will be best for you not to attend the council until the matter is settled whether a treaty can be made or not. At present, every thing appears favorable for a treaty; but, should the payment be made at the beginning of the council, it will blow up all our prospects. If you are here by the first of January, you will be in season.

With respect, your obedient servant,
J. F. SCHERMERHORN.

Major JOHN GARLAND, *U. S. army.*

G.

WAR DEPARTMENT,

Office Indian Affairs, March 12, 1838.

SIR: You are requested to adopt immediate measures for paying the annuities for 1837 to the Wyandots and the Indians in New York. The moiety of goods will be again tendered to them; but if they persist in their refusal to accept them, you will pay the amount in specie, using the funds in your hands, which will be replaced hereafter, and placing the goods where they will be secure from loss or damage, and will be ready for future disposition.

The offer of the goods should be made as an independent proposition, and without any intimation that, in the event of their rejection, any thing else will be given in lieu of them.

Very, &c.,

C. A. HARRIS, *Commissioner.*

Major JOHN GARLAND, *Detroit, Michigan.*

H.

WAR DEPARTMENT,

Office Indian Affairs, March 21, 1838.

SIR: Since the date of my communication of the 12th instant, relative to the payment of the annuities to the Wyandots, and the Indians in New York, it has been determined that the \$6,000 due to the Senecas shall, in any event, be paid in specie. You will not, therefore, offer them any portion in goods.

Very, &c.,

C. A. HARRIS, *Commissioner.*

Major JOHN GARLAND, *Detroit, Michigan.*



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